



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian F. Monahan

Serial No.: 09/808,490

For: RAPID RESPONSE MARKETING

Filed: March 14, 2001

Examiner: Johnna R. Loftis Art Unit: 3623

**DECLARATION UNDER 37 C.F.R. §1.131**

I, Brian F. Monahan, a resident of the State of California, U.S.A., declare as follows:

1. I am the inventor of the subject patent application with claims 1-15 currently pending before the United States Patent and Trademark Office (hereinafter known as the "Invention");
2. I am a graduate of Georgetown University and currently employed as a Senior Vice President advertising executive by McCann Erickson, San Francisco, U.S.A.;
3. I am technically skilled in the marketing area that is the subject of the Invention;
4. In 2000 I was a business partner of Dane Hulquist in the enterprise known as Marketing Systems Integrators and later I was a founding member of Inrhythm Marketing, LLC, San Francisco, CA, U.S.A. along with Mr. Hulquist and served as President of Inrhythm Marketing, LLC;
5. I am aware that one of the references (i.e., U.S. Patent No. 6,477,575 to Koeppel *et al.*) cited under 35 USC §103(a) as art reference against the Invention was filed on September 12, 2000.
6. On good faith and believe at a time certain before September 12, 2000, I prepared written records of the Invention, which records due in significant part to dissolution of the aforesaid Marketing Systems Integrators and Inrhythm

Marketing, LLC enterprises, cannot be currently located in spite of extensive searching and are functionally unavailable;

7. I respectfully declare that the Invention was conceived by me and described in written form before September 12, 2000 and that development of the Invention was diligently carried forward continuously from before September 12, 2000 to the time the patent application that is the subject of the Invention was prepared and thereafter filed with the United States Patent and Trademark Office on March 14, 2001;

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Declared at Newtown, CT, U.S.A. this 26<sup>th</sup> day of  
December, 2006.

  
Brian F. Monahan